

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES - EDUCATION(SE)DEPARTMENT - Allegation of corruption of demand and acceptance of bribe by Sri Bejagam Bhanu Murthy, formerly Head Clerk, Office of Gazetted Librarian, State Regional Library, Guntur District - Trapped on 05-02-2008 - Sanction of Prosecution - Orders - Issued.

[illegible]

EDUCATION(SE.VIG.II & COORDN.)DEPARTMENT

G.O.Ms.No.

Dated:05-01-2009

ORDER:

Whereas, Sri Bejagam Bhanu Murthy, S/o.Venkata Subbaiah worked as Head Clerk, Office of Gazetted Librarian, State Regional Library, Guntur from 13-11-2007 to 05-02-2008 and by virtue of the post held by him he falls under the category of a Public Servant as defined under sub-section (c) of Section 2 of the Prevention of Corruption Act, 1988;

2. And whereas, Sri Muppavarapu Srinivasa Rao, S/o.Thandava Krishna Murthy is a resident of Rajugari Thota, Guntur and working as Watchman in the Office of State Regional Library, Guntur since five years;

3. And whereas, it is alleged that Sri M.Srinivasa Rao appeared for SSC examination as a private student and passed in 2007. Sri M.Srinivasa Rao submitted a written representation to Sri Ch.Madhar, Librarian, State Regional Library, Guntur requesting him to convert as Attender. Again on 23-01-2008 the said Sri M.Srinivasa Rao presented another representation by enclosing the copies of Xth class Certificate and requested to make an entry in his Service Register to convert him as Attender. The Librarian endorsed the same to Sri Bejagam Bhanu Murthy, former Head Clerk, Office of Gazetted Librarian, State Regional Library, Guntur. On 01-02-2008, Sri M.Srinivasa Rao met Sri Bejagam Bhanu Murthy and enquired about his representation. On that Sri Bhanu Murthy replied him that 'the work can not be completed without anything, we will see it later'. On 04-02-2008 Sri M.Srinivasa Rao again met Sri Bejagam Bhanu Murthy and requested to do his work. At that Sri Bejagam Bhanu Murthy demanded Rs.15,000/- as bribe to put the file for conversion. When Sri M.Srinivasa Rao expressed his inability and Sri Bejagam Bhanu Murthy informed that he would never get his work done. After many requests Sri Bejagam Bhanu Murthy reduced the demanded bribe to Rs.12,000/- for doing the said official favour and further instructed Sri M.Srinivasa Rao to pay the said bribe on 05-02-2008 at his office. Sri M.Srinivasa Rao reluctantly agreed to pay the bribe amount of Rs.12,000/- to Sri Bejagam Bhanu Murthy and as he was not willing to pay bribe amount of Rs.12,000/- to Sri Bejagam Bhanu Murthy approached the Anti Corruption Bureau Officials for taking necessary action against Sri Bejagam Bhanu Murthy. Sri M.Srinivasa Rao was asked to come to the office of the District Inspector, Anti Corruption Bureau, Guntur on 05-02-2008 along with the bribe amount of Rs.12,000/- which he intended to pay as bribe to Sri Bejagam Bhanu Murthy. On receipt of the above complaint, confidential enquiries were made with regard to the genuineness of the complaint and reputation of Sri Bejagam Bhanu

Murthy etc., and a case in Cr.No.01/RCT-ACB-VJA/2008 U/s 7 of the Prevention of Corruption Act, 1988 was registered on 05-02-2008 at 10 AM after obtaining permission from Head Office, Anti Corruption Bureau, Hyderabad and took up investigation;

4. And whereas, after completing the pre-trap proceedings at 12.30 PM on 05-02-2008, Deputy Superintendent of Police along with trap party consisting of the Mediators, Inspectors and Staff of Anti Corruption Bureau, Vijayawada Range and Sri M.Srinivasa Rao left the office at 3.15 PM and reached the vicinity of the office of Sri Bejagam Bhanu Murthy and at 3.30 PM Sri M.Srinivasa Rao went into the office of Sri Bejagam Bhanu Murthy and found that he went to the District Treasury Office,

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came back and informed the Deputy Superintendent of Police. As per the instruction of the Deputy Superintendent of Police Sri Srinivasa Rao waited in the office for Sri Bejagam Bhanu Murthy and at about 5 PM, Sri Bejagam Bhanu Murthy came back to his office and was attending to his duties. When Sri M.Srinivasa Rao met Sri Bejagam Bhanu Murthy, he informed to wait for some time. At about 7.15 PM, Sri M.Srinivasa Rao again approached Sri B.Bhanu Murthy and Sri Bhanu Murthy asked him whether he brought the bribe amount or not. At that Sri M.Srinivasa Rao took out a wad of currency notes from his left side shirt pocket, Sri B.Bhanu Murthy gave him one white coloured envelope to keep the said amount and accordingly Sri M.Srinivasa Rao kept the tainted amount in the envelope cover and handed over Sri B.Bhanu Murthy, who received the same and kept in his personal black coloured zip bag. Then Sri M.Srinivasa Rao came out of the office and gave the prearranged signal. The raid party immediately rushed into the office of Sri B.Bhanu Murthy and Sri M.Srinivasa Rao pointed at him. As per the instructions of the Deputy Superintendent of Police, chemical test was conducted on both the hand fingers of Sri B.Bhanu Murthy and both hand fingers proved negative. When the Deputy Superintendent of Police asked Sri B.Bhanu Murthy whether he received the tainted amount from Sri M.Srinivasa Rao or not and Sri B.Bhanu Murthy took out a wad of currency notes, which were kept in a white coloured enveloped from his black hand bag and produced the same to the Deputy Superintendent of Police. As per the of the Deputy Superintendent of Police one of the mediators took the tainted amount and compared the serial numbers of the currency notes with those of the serial numbers, which proved tallied. The Deputy Superintendent of Police got sodium carbonate solution test conducted on the inner lings of the white coloured envelope, which proved positive. The Deputy Superintendent of Police seized the tainted amount Rs.12,000/- white coloured envelope and other connected material etc;

5. And whereas, the above said acts of Sri Bejagam Bhanu Murthy, former Head Clerk, Office of Gazetted Librarian, State Regional Library, Guntur constitute offences punishable under sections 7 and sub-section (2) of section 13 read with clause(d) of sub-section(1) of section 13 of the Prevention of Corruption Act, 1988.

6. And whereas, Government of Andhra Pradesh being the competent authority to remove Sri Bejagam Bhanu Murthy, formerly Head Clerk, Office of Gazetted Librarian, State Regional Library, Guntur from service after fully and carefully examining the material (i.e., Final Report, F.I.R., Mediators Names, Gist of statement of witnesses etc.) placed before them in respect of the aforesaid acts and the circumstances of the case consider that Sri Bejagam Bhanu Murthy, formerly Head Clerk, Office of Gazetted Librarian, State Regional Library, Guntur should be prosecuted in a court of Law.

7. Now, therefore, in exercise of the powers conferred by clause(b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988, the Government of Andhra Pradesh hereby accord sanction for the prosecution of the above said Sri Bejagam Bhanu Murthy, former Head Clerk, Office of Gazetted Librarian, State Regional Library, Guntur for the offences punishable under sections 7 & sub-section (2) of section 13 read with clause(d) of sub section(1) of section 13 of the Prevention of Corruption Act, 1988 and for any other cognate offence punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SECRETARY TO GOVT.(P.E&SSA)

To
The Director General, Anti Cororruption Bureau, Andhra Pradesh,
Hyderabad.